UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,057	01/07/2002	Kyle Brown	RSW920010193US1	1961

7590 10/20/2004	EXAMINER	
Stephen J. Weed, Esquire	PAULA, CESAR B	

Stephen J. Weed, Esquire
Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950

ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/041,057	BROWN ET AL.
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 January 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07 January 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>1/29/02</u>.

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   This action is responsive to the application, and IDS filed on 1/7, and 1/29/2002.

This action is made Non-Final.

2.   Claims 1-25 are pending in the case. Claims 1, 6, 18, and 22 are independent claims.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 1/7/2002 has been entered, and

considered by the examiner.

Drawings

4.   The drawings filed on 1/7/2002 have been approved by the examiner.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United
States before the invention thereof by the applicant for patent, or on an international application by another who
has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

6.   Claims 1, 4-18, 20-22, and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated

by Frerebeau et al, hereinafter Frerebeau (Pat.# 2003/0135501 7/17/2003, PCT filed

5/22/2001).

Regarding independent claim 1, Frerebeau discloses a localization tool for detecting

tags—*first section marked with a first identifier*--, and attributes, such as a language identifier—

receiving a language indicator--for localizing HTML and XML documents (0078-0079, 0084,

0074, 0076).

Moreover, Frerebeau discloses transforming or deleting one of the localization tags

"<LOC NUM=5> </LOC>" (before displaying the document) from the document when the

localization language is a pivot or default language, such as English indicated by an identifier

"1"—*removing*--for localizing HTML and XML documents (0078-0079, 0082, 0084, 0087-

0093). In other words, the document is transformed by leaving out or deleting the localization tag

before the document is displayed to the user requesting it.

Furthermore, Frerebeau discloses replacing or substituting localization tags (one tag

and the section marked by the tag), in the document to be displayed, with localized values of said

tags from an appropriate translation file corresponding to a language identified by the language

identifier—*language indicator is not said default language indicator* (0084-0087).

Regarding claim 4, which depends on claim 1, Frerebeau discloses the retrieval of the

document from a server—*receiving input stream based on said file* (0033,0034). The document

is transformed by leaving out or deleting the localization tag.

Moreover, Frerebeau discloses a localization tool for detecting tags—*scanning said input*

stream for said first identifier--, and attributes, such as a language identifier for localizing HTML

and XML documents (0078-0079, 0084, 0074, 0076).

Furthermore, Frerebeau discloses transforming or deleting one of the localization tags

(one tag and the section containing the rest of the tags) "<LOC NUM=5> </LOC>" (before

displaying the document) from the document when the localization language is a pivot or default

language, such as English indicated by an identifier "1"—*removing--*for localizing HTML and

XML documents (0078-0079, 0082, 0084, 0087-0093). In other words, the document is

transformed by leaving out or deleting the localization tag before the document is displayed to

the requesting user.

Regarding claim 5, which depends on claim 1, Frerebeau discloses the retrieval of the

document from a server—*receiving input stream based on said file* (0033,0034). The document

is transformed by leaving out or deleting the localization tag.

Moreover, Frerebeau discloses a localization tool for detecting tags—*scanning said input stream for said first identifier*--, and attributes, such as a language identifier for localizing HTML and XML documents (0078-0079, 0084, 0074, 0076).

Furthermore, Frerebeau discloses replacing or substituting localization tags(one tag and the section marked by the tag), in the document to be displayed, with localized values of said tags from an appropriate translation file corresponding to a language identified by the language identifier "1"—*language indicator is not said default language indicator* (0084-0087).

Regarding independent claim 6, Frerebeau discloses a localization tool for detecting tags—*identifying a file having a first section marked with a first identifier*--, and attributes, such as a language identifier—*receiving a language indicator*-- in a web file for localizing HTML and XML documents (0078-0079, 0084, 0074, 0076).

Furthermore, Frerebeau discloses transforming or filtering one of the localization tags "<LOC NUM=5> </LOC>" from the document when the localization language is a pivot or default language, such as English indicated by an identifier "1"—*removing*--for localizing HTML and XML documents (0078-0079, 0082, 0087-0093). In other words, the document section containing the tag is transformed by leaving out or filtering the localization tag based on the type of language, in this case English, indicated by the identifier.

Claims 7-10 are directed towards a method for implementing the steps found in claims 1, 1, and 4-5 respectively, and therefore are similarly rejected.

Regarding claim 11, which depends on claim 8, Frerebeau discloses replacing or substituting localization tags, which delimit or format data, in a section of the document to be displayed—*text and formatting codes* (0048-0049, 0084-0087).

Regarding claim 12, which depends on claim 8, Frerebeau discloses replacing or substituting localization tags, which delimit or format data, with other tags and data according a language marked by an identifier—*replacement section includes text and formatting codes* (0048-0049, 0084-0087).

Regarding claim 13, which depends on claim 1, Frerebeau discloses transforming or deleting one of the localization tags for localizing XML documents (0078-0079, 0082, 0084, 0087-0093).

Regarding claim 14, which depends on claim 1, Frerebeau discloses transforming or deleting one of the localization tags for localizing HTML documents (0078-0079, 0082, 0084, 0087-0093).

Regarding claim 15, which depends on claim 1, Frerebeau discloses transforming or filtering one of the localization tags "<LOC NUM=5>--*opening tag preceding said first section--* </LOC>" –*closing tag following said first section--*from the document (0078-0079, 0082, 0087-0093).

Regarding claim 16, which depends on claim 1, Frerebeau discloses transforming or filtering one of the localization tags "<LOC NUM=5>--*opening <XY>*-- </LOC>" –*closing tag is </X>*--from the document (0078-0079, 0082, 0087-0093).

Regarding claim 17, which depends on claim 8, Frerebeau discloses transforming or removing one of the localization tags—*second identifier*--- based on a language other than the English language indicated by an identifier "1" for localizing HTML and XML documents (0078-0079, 0082, 0087-0093). In other words, the document section containing the tag is transformed by leaving out or removing the localization tag based on the type of language, in this case other than English, indicated by the identifier.

Furthermore, Frerebeau discloses replacing or substituting localization tags, such as other than English ones—*not a default indicator*--, which delimit or format data, in a section of the document to be displayed (0048-0049, 0084, 0086-0087).

Claims 18, and 21 are directed towards a computer system for implementing the steps found in claims 1, and 5 respectively, and therefore are similarly rejected.

Claim 20 is directed towards a method for implementing the steps found in claim 4, and therefore is similarly rejected.

Claims 22, and 24-25 are directed towards a computer program product on a computer-

readable medium for storing the steps found in claims 1, and 4-5 respectively, and therefore are

similarly rejected.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

8.   Claims 2-3, 19, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Frerebeau, in view of Eerola (Pat. # 6,678,518, 1/13/2004, filed on 12/9/1999).

Regarding claim 2, which depends on claim 1, Frerebeau discloses a localization tool for

detecting web pages, received from a server, having tags—*monitoring files being sent by a*

server--, and attributes, for localizing HTML and XML documents by processing such tags in

order to display the documents in a user's language--*internationalization* (0033-0036,0084,

0087-0098). Frerebeau f ails to explicitly disclose: *files having an internationalization MIME-*

type. However, Eerola teaches the indication of a MIME header specifying content type of a

document requested using HTTP (col.4, lines 16-34, 49-57). It would have been obvious to a

person of ordinary skill in the art at the time of the invention to have used MIME in describing

the requested document, because Eerola teaches above the benefit of finding an appropriate filter

based on the content type, which would help in effectively tailor the document to the user's language.

Regarding claim 3, which depends on claim 2, Frerebeau discloses a localization tool for detecting web pages, received from a server, having tags—*monitoring files being sent by a server*--, and attributes, for localizing HTML and XML documents by processing such tags in order to display the documents in a user's language--*internationalization* (0033-0036,0084, 0087-0098). Frerebeau fails to explicitly disclose: *using MIME-type filtering*. However, Eerola teaches the indication of a MIME header specifying content type of a document requested using HTTP in order to filter the document based on the indicate type (col.4, lines 16-34, 49-57). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have used MIME in describing the requested document, because Eerola teaches above the benefit of finding an appropriate filter based on the content type, which would help in effectively tailor the document to the user's language.

Claim 19 is directed towards a computer system for implementing the steps found in claim 2, and therefore is similarly rejected.

Claim 23 is directed towards a computer program product on a computer-readable medium for storing the steps found in claim 2, and therefore is similarly rejected.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. **"Composite Fields for Dynamic HTML Applications", IBM TDB, Iss.No 444, pp.703, 4/2001.**

II. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543 (**

(571) 272-2148 as of 10/12/04). The examiner can normally be reached on Monday through

Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Stephen Hong, can be reached on (703) 308-5465 ((571) 272-4124 as of 10/12/04). However, in

such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

Or faxed to:

- **(703) 703-872-9306,** (for **all** Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CESAR B PAULA
Patent Examiner
Art Unit 2178

10/15/04